

ON 3/6/19 BPAPeter A. Moore, Jr., Clerk  
US District Court  
Eastern District of NCUNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISIONNO. 5:19-cr-95-D

UNITED STATES OF AMERICA )

vs. )

DAVID SIERRA OROZCO )

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Possession of Child Pornography)

On or about July 25, 2017, in the Eastern District of North Carolina, DAVID SIERRA OROZCO, the defendant herein, did knowingly possess one or more matters, that is, computer hard drives and computer media containing digital and computer images and videos, the production of which involved the use of one or more minors, including minors who had not attained 12 years of age, engaging in sexually explicit conduct, and which images visually depicted such conduct. The images and videos had been mailed, shipped and transported in interstate and foreign commerce and by use of means and facilities of interstate commerce, i.e., the Internet, and were produced using materials which had been mailed, shipped, or transported in interstate and foreign commerce, by any means including by computer, all in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

### **FORFEITURE NOTICE**

The named defendant is hereby given notice that all of the defendant's interest in all property specified herein is subject to forfeiture.

Upon conviction of one or more of the offenses set forth in Count One, DAVID SIERRA OROZCO, the defendant herein, shall forfeit to the United State, pursuant to Title 18, United States Code, 2253(a):

(1) any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of the offense(s);

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense(s); and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of said offense(s) or any property traceable to such property.

The forfeitable property includes, but is not limited to:

- (a) Samsung Cellphone, Model SMJ727P;
- (b) 8GB Memory Card seized on July 25, 2017; and
- (c) 36GB Memory Card seized on July 25, 2017.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant --

- (1) cannot be located upon the exercise of due diligence;

- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), through 18 U.S.C. Sections 2253 or 1467, whichever may be applicable, to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

Forepers

**REDACTED VERSION**

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

Date: 3/5/19

ROBERT J. HIGDON, JR.  
United States Attorney

  
BY: MELISSA BELLE KESSLER  
Assistant United States Attorney